

### **REMARKS**

This is a full and timely response to the outstanding non-final Office Action mailed October 5, 2005 (Paper No. 09292005). Upon entry of this response, claims 1-14 and 32-61 are pending in the application. In this response, claims 1 and 32 have been amended, claims 45-61 have been added, and claims 15-31 have been cancelled. Applicants respectfully request that the amendments being filed herewith be entered and request that there be reconsideration of all pending claims.

1. Rejection of Claims 1-2, 4-14, 32-33, and 35-44 under 35 U.S.C. §102

Claims 1-2, 4-14, 32-33, and 35-44 have been rejected under §102(e) as allegedly anticipated by *Dubois et al.* (U.S. 2002/0154646). Applicants respectfully submit that the rejection is overcome by claim amendments made herein. A proper rejection of a claim under 35 U.S.C. §102 requires that a single prior art reference disclose each element of the claim. *See, e.g., W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983).

A. Claims 1 and 32

Applicants respectfully submit that *Dubois et al.* does not disclose, teach, or suggest a “session router for selecting, for the multimedia packets, at least one route traversing the media router, said selected route ending in the destination, said destination specified by said switched network” as recited in claims 1 and 32. The Office Action alleges that router 250 in FIG. 11 of *Dubois et al.* corresponds to the “session router.” Applicant respectfully disagrees. First, router 250 is a “call agent router” (para. 0126) rather than a “session router.” Second, *Dubois et al.* describes the operation of the call agent router 250 as follows: “route[s] a filter connection to the

Java Interface object when it detects that the current call employs a service provided by the Java Services environment.” (para. 0126.) No mention is made of selecting a route for multimedia packets (associated with a call). Nor does the reference teach that the selected route traverses a specific router (the claimed media router).

Nor does IP router 27 (FIG. 1) of *Dubois et al.* correspond to the claimed “session router.” *Dubois et al.* appears to merely disclose that the programmable services node (PSN) 200 can “exchange voice and data traffic between ATM, TDM, and IP networks” (para. 33) and that IP traffic comes through an IP router 27 (para. 34).

For at least the reason that *Dubois et al.* fails to disclose, teach, or suggest any of the above-described features, Applicants respectfully submit that *Dubois et al.* does not anticipate claims 1 and 32. Therefore, Applicants request that the rejection of claims 1 and 32 be withdrawn.

**B. Claims 2, 4-14, 33, and 35-44**

Since claims 1 and 32 are allowable, Applicants respectfully submit that claims 2, 4-14, 33, and 35-44 are allowable for at least the reason that each depends from an allowable claim. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q. 2d 1596, 1598 (Fed. Cir. 1988). Therefore, Applicants respectfully request that the rejection of claims 2, 4-14, 33, and 35-44 be withdrawn.

**2. Rejection of Claims 15-20 and 28-31 under 35 U.S.C. §102**

Claims 15-20 and 28-31 have been rejected under §102(e) as allegedly anticipated by *Marsh et al.* (U.S. 2002/0159439). Claims 15-20 and 28-31 are cancelled without prejudice, waiver, or disclaimer, and the rejection of these claims is therefore rendered moot. Applicants take this action merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicants reserve the right to pursue the

subject matter of these cancelled claims in a continuing application, if Applicants so choose, and do not intend to dedicate any of the cancelled subject matter to the public. Applicants expressly reserve the right to present cancelled claims 15-20 and 28-31, or variants thereof, in continuing applications to be filed subsequent to the present application.

3. Rejection of Claims 3 and 24 under 35 U.S.C. §103

Claims 3 and 24 have been rejected under §103(a) as allegedly obvious over *Dubois et al.* (U.S. 2002/0154646). Applicants respectfully traverse the rejection of claim 3, and submit that the rejection of claim 24 has been rendered moot.

A. Claim 3

Since claim 1 is allowable, Applicants respectfully submit that claim 3 is allowable for at least the reason that it depends from an allowable claim. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q. 2d 1596, 1598 (Fed. Cir. 1988). Therefore, Applicants respectfully request that the rejection of claim 3 be withdrawn.

B. Claim 24

Claim 24 is cancelled without prejudice, waiver, or disclaimer, and the rejection of these claims is therefore rendered moot. Applicants take this action merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicants reserve the right to pursue the subject matter of this cancelled claim in a continuing application, if Applicants so choose, and do not intend to dedicate any of the cancelled subject matter to the public. Applicants expressly reserve the right to present cancelled claim 24, or variants thereof, in continuing applications to be filed subsequent to the present application.

4. Rejection of Claims 21-27 under 35 U.S.C. §103

Claims 21-27 have been rejected under §103(a) as allegedly obvious over *Marsh et al.* (U.S. 2002/0159439). Claims 21-27 are cancelled without prejudice, waiver, or disclaimer, and the rejection of these claims is therefore rendered moot. Applicants take this action merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicants reserve the right to pursue the subject matter of these cancelled claims in a continuing application, if Applicants so choose, and do not intend to dedicate any of the cancelled subject matter to the public. Applicants expressly reserve the right to present cancelled claims 21-27, or variants thereof, in continuing applications to be filed subsequent to the present application.

5. Newly Added Claims

Applicants submit that new claims 45-61 are allowable over the cited references. Specifically, independent claim 57 is allowable for at least the reason that the cited references do not disclose, teach, or suggest the feature of “selecting, for the multimedia packets, at least one route traversing the media router, said selected route ending in the destination, said destination specified by said switched network.” Dependent claims 45-56 and 58-60 are allowable for at least the reason that each depends from an allowable claim. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q. 2d 1596, 1598 (Fed. Cir. 1988). Therefore, Applicants request the Examiner to enter and allow the above new claims.

**CONCLUSION**

Applicants respectfully request that all outstanding objections and rejections be withdrawn and that this application and presently pending claims 1-14 and 32-61 be allowed to issue. Any statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for at least the specific and particular reason that the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions. If the Examiner has any questions or comments regarding Applicants' response, the Examiner is encouraged to telephone Applicants' undersigned counsel.

Respectfully submitted,

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